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c 9 Ontario Unconditional Grants Amendment Act, 1981

Ontario

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CHAPTER 9

**An Act to amend
the Ontario Unconditional Grants Act***Assented to June 26th, 1981*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause 1 (1) (b) of the *Ontario Unconditional Grants Act*, being chapter 359 of the Revised Statutes of Ontario, 1980, is amended by striking out "revised" in the fifteenth line and inserting in lieu thereof "returned". s. 1 (1) (b),
amended
2. Paragraphs 3 and 4 of section 2 of the said Act are repealed and the following substituted therefor: s. 2,
pars. 3, 4,
re-enacted
 3. \$17 per capita where a regional municipality is deemed to be a city for the purposes of the *Police Act*. R.S.O. 1980,
c. 381
 4. \$12 per capita based on the population of each area municipality providing its own law enforcement by maintaining its own police force or being under contract for the policing of the municipality by the Ontario Provincial Police Force in accordance with the *Police Act*.
3. Clauses 3 (c) and (d) of the said Act are repealed and the following substituted therefor: s. 3 (c, d),
re-enacted
 - (c) \$17 where a regional municipality is deemed to be a city for the purposes of the *Police Act*; or
 - (d) \$12 in relation to each area municipality to which paragraph 4 of section 2 applies.
4. Subsection 4 (3) of the said Act is repealed and the following substituted therefor: s. 4 (3),
re-enacted

Idem

(3) In each year, payments of \$12 per capita shall be made to each municipality providing its own law enforcement by maintaining its own police force, or being under contract for the policing of the municipality by the Ontario Provincial Police Force in accordance with the *Police Act*.

R.S.O. 1980,
c. 381s. 6,
amended

5. Section 6 of the said Act is amended by striking out "revised" in the seventh line and inserting in lieu thereof "returned".

s. 7 (1) (e),
amended

6.—(1) Clause 7 (1) (e) of the said Act is amended by striking out "revised" in the third line and inserting in lieu thereof "returned".

s. 7 (4),
amended

(2) Subsection 7 (4) of the said Act is amended by striking out "revised assessment roll as equalized by the Ministry of Revenue" in the tenth and eleventh lines and inserting in lieu thereof "returned assessment roll as equalized in accordance with the factor by which the last revised assessment roll of the lower tier municipality was equalized for apportionment purposes in the year 1979".

s. 8,
re-enacted

7. Section 8 of the said Act is repealed and the following substituted therefor:

Resource
equalization
grants

8.—(1) In each year there shall be paid a resource equalization grant in respect of each lower tier municipality whose equalized assessment per capita in the preceding year as is determined in the prescribed manner is below such standard equalized assessment per capita as may be prescribed, and the amount of the grant shall be based, in the manner and subject to such limits as may be prescribed, on the proportion that 60 per cent of such deficiency of equalized assessment per capita bears to the prescribed standard equalized assessment per capita as applied to the net levy of the lower tier municipality.

Payment
of grants

(2) A grant payable under subsection (1) shall be paid to the lower tier municipality in respect of which it was determined and to the upper tier municipality within which that lower tier municipality is situate, in the proportion prescribed, and the portion of the grant payable to the upper tier municipality in that year shall be credited by the upper tier municipality to its general funds.

Limiting
shifts in
taxation

(3) For the purposes of limiting shifts in taxation caused by a change in the resource equalization grant formula as prescribed in subsection (1), the Lieutenant Governor in Council may, by regulation, provide for the payment of grants on such terms and

conditions as set out in the regulation to lower tier municipalities and to upper tier municipalities which would otherwise experience increases in taxation by reason of a revised resource equalization grant formula.

(4) In each year, the clerk of every lower tier municipality that will receive a resource equalization grant in the current year shall provide, on or before the 15th day of March, to the upper tier municipality, a statement of the total estimated resource equalization grant for the current year with a determination of the estimated entitlement payable to the upper tier municipality.

Notification
by clerk

(5) The clerk of every lower tier municipality upon receiving notice from the Ministry of the amount of resource equalization grant shall provide to the upper tier municipality a statement of the total grant and the portion payable to the upper tier municipality.

Idem

8. Subsection 9 (1) of the said Act is repealed and the following substituted therefor:

s. 9 (1),
re-enacted

(1) For the purposes of apportioning the amounts required for a district home established under the *Homes for the Aged and Rest Homes Act* or a district welfare administration board, established under the *District Welfare Administration Boards Act*, the equalized assessment of a lower tier municipality shall be increased by an amount that would have produced the amount of the resource equalization grant entitlement in the preceding year by the taxation of real property at the rate determined by dividing the total taxes levied for all purposes, other than school purposes, on commercial assessment in the preceding year, by the total equalized commercial assessment for the preceding year, times 1,000.

Where
equalized
assessment
of lower tier
municipality
to be
increased
R.S.O. 1980,
cc. 203, 122

9. The said Act is amended by adding thereto the following section:

s. 9a,
enacted

9a.—(1) Notwithstanding the provisions of any general or special Act, for purposes of limiting shifts in taxation caused by a change in equalization factors resulting from a new determination under section 55 of the *Assessment Act*, the Lieutenant Governor in Council may, each year by regulation, prescribe an alternative basis on which apportionments, levies and requisitions are to be made by the councils of upper and lower tier municipalities and by any local board, or class thereof, as are specified in the regulation, and the regulation may be retrospective in effect.

Alternative
basis on
which
apportion-
ments,
etc., made
R.S.O. 1980,
c. 31

(2) For purposes of limiting shifts in taxation caused by change in the apportionment formula as prescribed in subsection

Limiting
shifts
in taxation

(1), or caused by change in equalization factors resulting from a new determination under section 55 of the *Assessment Act*, the Lieutenant Governor in Council may in each year by regulation provide for the payments of grants on such terms and conditions as are set out in the regulation, to lower tier municipalities and to upper tier municipalities which would otherwise experience increases in taxation by reason of a revised apportionment formula or change in their equalization factor, and the regulation may be retrospective in effect.

Moneys

(3) The moneys required for the purposes of subsection (2) shall be paid out of the moneys appropriated therefor by the Legislature.

Commence-
ment

10. This Act shall be deemed to have come into force on the 31st day of January, 1981.

Short title

11. The short title of this Act is the *Ontario Unconditional Grants Amendment Act, 1981*.